

Message Text

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ACTION OES-07

INFO OCT-01 AF-10 ARA-14 EUR-12 EA-12 ISO-00 ACDA-10
AGRE-00 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00
COME-00 DLOS-09 DODE-00 DOTE-00 EB-08 EPA-04
ERDA-07 FEAE-00 FMC-02 TRSE-00 H-02 INR-07 INT-05
IO-14 JUSE-00 L-03 NSAE-00 NSF-02 OMB-01 PA-02
PM-05 PRS-01 SP-02 SS-15 SSO-00 INRE-00 USIE-00
NSCE-00 /162 W

-----109614 231629Z /40

O P 231445Z SEP 77

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC IMMEDIATE 8838

INFO AMEMBASSY OTTAWA PRIORITY

AMEMBASSY MEXICO PRIORITY

AMEMBASSY TOKYO PRIORITY

AMEMBASSY MANAGUA PRIORITY

AMEMBASSY PANAMA PRIORITY

AMEMBASSY LIMA PRIORITY

AMEMBASSY PARIS PRIORITY

AMEMBASSY GUATEMALA PRIORITY

AMEMBASSY SAN SALVADOR PRIORITY

AMEMBASSY TEGUCIGALPA PRIORITY

AMEMBASSY BOGOTA PRIORITY

AMEMBASSY SANTIAGO PRIORITY

AMEMBASSY MADRID PRIORITY

RIKMC/AMEMBASSY LONDON PRIORITY 138

AMCONSUL HAMILTON PRIORITY

AMCONSUL CURACAO PRIORITY

AMEMBASSY WELLINGTON PRIORITY

AMEMBASSY DAKAR PRIORITY

AMEMBASSY CARACAS PRIORITY

AMEMBASSY ACCRA PRIORITY

AMCONSUL GUAYAQUIL PRIORITY

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E.O. 11652: N/A

TAGS: EFIS

SUBJ: NEGOTIATION OF NEW TUNA TREATY - SAN JOSE, COSTA RICA

REF: SAN JOSE 4365

1. US OPENUDG REMARKS (SAN JOSE 4397) MADE DURING SEPTEMBER 20

SESSION OF CONFERDKOCE. MEXICO RESPONDED IN A GENERALLY POSITIVE TONE, NOTING THAT THERE WERE MANY POINTS OF AGREEMENT ON WHAT WE SHOULD BE SEEKING IN NEW TUNA REGIME. JAPAN (YONEZAWA) RESPONDED BY NOTING THAT ITS POSITION WAS VERY CLOSE TO THE US POSITION, AND THAT IT WAS ESPECIALLY IMPORTANT THAT ALL HIGHLY MIGRATORY SPECIES (INCLUDING BILLFISH) BE MANAGED INTERNATIONALLY. JAPAN AGREED WITH NEED TO PROCEED WITH CAUTION, POINTING OUT THAT LOS WAS STILL IN SESSION AND THAT PRECEDENT WILL BE ESTABLISHED HERE WHICH WILL AFFECT TUNA FISHING IN OTHER AREAS. CANADA AGREED WITH PRINCIPLES SET FORTH IN US OPENING REMARKS, AND AGREED THAT WE MUST PROCEED CAUTIOUSLY. CANADA ALSO REMARKED AS HOW IT WAS DISCOURAGED THAT OTHER IMPORTANT NATIONS WERE NOT PARTICIPATING IN THESE DISCUSSIONS.

2. MORNING OF SEPTEMBER 21 US MADE STATEMENT (SENT SEPTTEL) COMMENTING ON MEXICAN/COSTA RICAN DOCUMENT CIRCULATED AT OPENING OF MEETING. COSTA RICA FOLLOWED WITH EXPRESSION OF CONCERN THAT US THOUGHT PRESENT SYSTEM MIGHT BE ADEQUATE, NOTING THAT CIRCUMSTANCES HAVE CHANGED CONSIDERABLY SINCE 1949 WHEN IATTC CONVENTION FIRST NEGOTIATED, AND THAT THE RULES OF THE GAME MUST CHANGE. COSTA RICA WAS CONCERNED THAT US DELEGATION HAD NOT TAKEN THIS FACT AND CERTAIN PRINCIPLES OF EQUITY ADEQUATELY INTO ACCOUNT.

3. MEXICO (CASTENADA) RESPONDED WITH RATHER STRONG STATEMENT TAKING EXCEPTION TO APPROACH INDICATED BY US REMARKS. CASTENADA NOTED THAT MEXICO HAS BEEN INSISTING FOR 2 OR 3 YEARS THAT PRESENT IATTC

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REGIME IS UNSATISFACTORY FOR MEXICO AND ALL COASTAL STATES OF REGION, THAT THERE HAS NOT BEEN EQUITABLE DISTRIBUTION OF THE TUNA RESOURCES, AND THAT IATTC WAS INCOMPATIBLE JURIDICALLY WITH CONCEPT OF EXCLUSIVE ECONOMIC ZONE (EEZ). HE REMARKED AS HOW EEZ CONCEPT WAS REFLECTED IN LOS ICNT AND HAS BEEN ACCEPTED BY NEARLY ALL NATIONS, INCLUDING THE US, SOVIET UNION, JAPAN, EUROPEAN COMMUNITY, AS WELL AS BY MANY LATIN AMERICAN, ASIAN, AND AFRICAN STATES. FOR MEXICO, CONCEPT OF EXCLUSIVE ECONOMIC ZONE WAS INTERNATIONAL LAW. CASTENADA WENT ON TO REMARK THAT 200 MILES WAS A POLITICAL AND LEGAL REALITY THROUGHOUT THE EASTERN TROPICAL PACIFIC AND THAT THE PRESENT IATTC REGIME COULD UNDER NO CIRCUMSTANCES CONTINUE FOR MEXICO. A NEW SYSTEM COMPATIBLE WITH NEW INTERNATIONAL LEGAL REALITIES WAS REQUIRED AND THIS WAS WHY MEETING CALLED. MEXICO FOUND US REMARKS DISCOURAGING SINCE IT THOUGHT THERE WAS BEING AGREEMENT ON NECESSITY OF CREATING A DIFFERENT TUNA REGIME. FOR MEXICO THIS WAS AN URGENT QUESTION, AND MEXICO COULD NOT WAIT UNTIL AFTER LOS OR TOLERATE FURTHER DELAYS.

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TO SECSTATE WU HDC IMMEDIATE 8839

INFO AMEMBASSY OTTAWA PRIORITY

AMEMBASSY MZXICO PRIORITY

AMEMBASSY TOKYO PRIORITY

RUESMLEXAMEMBASSY MANAGUA PRIORITY Z592

AMEMBASSY PANAMA PRIORITY

AMEMBASSY LIMA PRIORITY

AMEMBASSY PARIS PRIORITY

AMEMBASSY GUATEMALA PRIORITY

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AMEMBASSY TEGUCIGALPA PRIORITY

AMEMBASSY BOGOTA PRIORITY

AMEMBASSY SANTIAGO PRIORITY

AMEMBASSY MADRID PRIORITY

AMEMBASSY LONDON PRIORITY

RUEBBRUQXAMCONSUL HAMILTON PRIORITY 008

AMCONSUL CURACAO PRIORITY

AMEMBASSY WELLINGTON PRIORITY

AMEMBASSY DAKAR PRIORITY

AMEMBASSY CARACAS PRIORITY

AMEMBASSY ACCRA PRIORITY

AMCONSUL GUAYAQUIL PRIORITY

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E.O. 11652: N/A

TAGS: EFIS

SUBJ: NEGOTIATION OF NEW TUNA TREATY - SAN JOSE, COSTA RICA

REF: SAN JOSE 4365

CASTENADA CONCLUDED WITH STATEMENT (WHICH HE REPEATEDLY EMPHASIZED

AS HAVING OFFICIAL BACKING OF MEXICAN GOVERNMENT) THAT ALTERNATIVE FOR MEXICO OF NOT CREATING NEW TUNA RESERVE IN NEAR FUTURE WOULD BE TO WITHDRAW FROM THE IATTC AND UNILATERALLY MANAGE TUNA LIKE ECUADOR. HE ALLOWED AS HOW THIS WAS NOT GOOD SOLUTION AND THAT INTERNATIONAL AGREEMENT WAS PREFERABLE, BUT THAT MEXICO COULD NOT AVOID UNILATERAL ACTION IF NEW RELTME NOT POSSHGLE.

4. COSTA RICA FOLLOWED THIS STRONG INTERVENTION BY CASTENADA BY STRESSING COSTA RICAN DESIRE FOR COOPERATION AND DIALGUUE, NOTING THAT IF NEW AGREEMENT NOT POSSIBLE COSTA RICA WHOULD HAVE TO CONSIDER WHETHER OR NOT IT COULD CONTINUE IN IATTC, BUT THAT WITHDRAWAL AND UNILATERAL ACTIONS NOT CONSIDERED DESIRABLE AND WOULD NOT BE CASTA RICAN STYLE.

5. CANADA REMARKED THAT IT WAS ESSENTIAL THAT PROGRESS TOWARDS CREATING NEW ARRANGEMENTS FOR TUNA BE MADE IN SAN JOSE, ESPECIALLY IF WE ARE TO CONVINCE OTHER NATIONS NOT HERE THAT THIS IS AN EFFORT WORTH JOINING AND THAT THEY SHOULD PARTICIPATE.

6. FOLLOWING INTERVENTIONS NOTED ABOVE, HEADS OF DELEGATIONS MET AND AGREED THAT SMALL WORKING GROUP SHOULD EXAMINE POINT BY QOINT MEXICAN/COSTA RICAN DOCUMENT AND ATTEMPT TO MAKE CLEAR AREAS OF AGREEMENT AND DISAGREEMENT. WORKING GROUP MET AFTERNOON SEPTEMBER UNCLASSIFIED

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21 AND CONTINUED DELIBERATIONS MORNING SEPTEMBER 22. CONFERENCE THEN ADJOURNED TO ALLOW RAPPOREUR TIME TO PREPARE REPORT OF WORKING GROUP WHICH WILL BE CONSIDERED IN PLENARY AFTERNOON OF SEPTEMBER 23 WHICH IS LIKELY TO BE LAST DAY OF CONFERENCE. AS YET, WE HAVE NO FIRM INDICATION OF WHEN NEW SESSION MIGHT BE CONVENED ALTHOUGH MEXICANS ARE DETERMINED THAT ANOTHER MEETING TAKE PLACE BEFORE NEXT LOS MEETING.
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